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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,894	09/27/2005	Kazuki Sawa	2005_1428A	3729

53349 7590 12/23/2008  
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EXAMINER

NATNAEL, PAULOS M

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

12/23/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/550,894

**Applicant(s)**

SAWA, KAZUKI

**Examiner**

PAULOS M. NATNAEL

**Art Unit**

2622

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-5 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims **1-2** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The newly added limitations "detecting an area in which a signal level changes as an image moves", is new matter which was not described in the specification. If applicant contends this is not new matter, specific area, i.e., page #, line # should be specified.

3. Claims **1-2** are again rejected under 35 U.S.C. 102(e) as being anticipated by Takeda.

Considering claim 1, Takeda discloses a video signal processing apparatus capable of improving signal level by automatic gain control (GCA) and frame addition method. (see Figs. 1,3,5,7) The video processing apparatus comprises GCA circuit 1 which receives the video signal, A/D converter 2, image memory 5,

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adder 6, multiplier 9, signal level detecting (46,44) and a frame cyclic noise reduction circuit (21, 47) as illustrated in Figs. 10,12, and 13, the frame cyclic noise reduction circuit corresponds to the claimed frame cyclic noised reduction method employed in an image display device.

The frame cyclic noise reduction circuit in turn comprises a motion detecting circuit 22 which **calculates an amount of change in motion of each pixel from the video signal S12** (which corresponds to the claimed detecting an area in which a signal level changes as an image moves) and coefficient control unit 23 that receives a signal level detecting signal K3, **changes the filter parameter of K3**, and outputs the coefficient control signal K4 (corresponding to the claimed controlling a cyclic amount for detecting area to be different from a cyclic amount for other areas). *See col. 17, line 18-21 and 42 to col. 18, line 12; col. 21, lines 55+; emphasis added.*

Regarding claim 2, Takeda discloses the motion detector 22 which calculates an amount of change in motion of each pixel from the video signal S12 which has been improved from low illuminance. *See col. 17, lines 59-61.*

### ***Response to Arguments***

Applicant's arguments filed 9/23/08 have been fully considered but they are not persuasive. Applicant argues:

Thus, in view of the above, it is clear that Takeda teaches calculating an amount of motion of each pixel of a video signal, but does not disclose or suggest detecting an area where

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the signal level changes based on image movement, as recited in claim 1. In addition, it is apparent that Takeda teaches outputting a filter parameter coefficient based on a detected level of luminance and based on the calculated amount of change of a video signal, but still fails to disclose or suggest differing a frame cyclic amount in the detected area so that the frame cyclic amount in the detected area is different from a frame cyclic amount of another area, as required by claim 1.

4. *Examiner disagrees. Takeda teaches calculating an amount of change in motion of each pixel from the video signal*, which pixel, given a reasonably broad interpretation, may be interpreted as the claimed “area” on an image. Furthermore, *Takeda teaches* the circuit changes the filter parameter of K3 and outputs the coefficient control signal K4. Thus, Takeda discloses both detecting an area where the signal level changes based on image movement, and differing [sic] cyclic amount in the detected area so that the frame cyclic amount in the detected area is different from a frame cyclic amount of another area. Thus, the argument is unpersuasive.

***Allowable Subject Matter***

5. Claim 3-5 are allowed.
6. The following is a statement of reasons for the indication of allowable subject matter: see statement of record.

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAULOS M. NATNAEL whose telephone number is (571)272-7354. The examiner can normally be reached on 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PAULOS M. NATNAEL/  
Primary Examiner, Art Unit 2622

PMN  
December 21, 2008